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DEC 21 2004

In re Application of:	:	
Seong-Hwoon Kim et al.	:	DECISION ON PETITION TO
Serial No.: 10/091,398	:	WITHDRAW THE HOLDING
Filed: March 7, 2002	:	OF ABANDONMENT
Attorney Docket No.: 017750-698	:	

This is a decision on the petition to withdraw the holding of abandonment of the above-identified application under 37 C.F.R. § 1.181 filed on July, 15, 2004. There is no fee for this petition.

The petition is **GRANTED**.

The application was held abandoned for failure to file a proper response to the Office action mailed on August 12, 2003. A Notice of Abandonment was mailed on May 18, 2004.

Petitioner asserts that a response to the Office action was timely filed on December 12, 2003. To support this assertion, petitioner has submitted a copy of the response (a transmittal sheet, an amendment and a petition for a one month extension of time) and a copy of a stamped return postcard which properly identifies and acknowledges receipt of the response by the Patent and Trademark Office (PTO) on August 12, 2003. Although the transmittal sheet incorrectly listed the wrong Serial Number, the correct Serial Number was listed on both the amendment and the petition for extension of time.

Regardless of the above, a review of the application file indicates that the response has been received and matched with the correct application file.

For the above stated reason, the petition is granted. The Notice of Abandonment mailed May 18, 2004 is hereby **VACATED** and the holding of abandonment is withdrawn. The examiner will be notified to prepare an Office action based upon the response.

PTO records indicate that the fee for the one month extension of time was associated with the Serial Number but the fees involved with the amendment (\$86.00 for independent claims in excess of 3; \$252.00 for claims in excess of 20) were associated with the wrong Serial Number

listed on the transmittal sheet. The correction will be made to associate the fees involved with the amendment with the correct Serial Number. Nevertheless, all the fees were charged to the correct Deposit Account Number.

Any inquiries regarding this decision should be directed to Edward Westin at (571) 272-1638.



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